

**FILED**

MAY 03 2022

**SEALED**

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY UX  
DEPUTY CLERK

**UNITED STATES OF AMERICA,  
Plaintiff,**

**v.**

**ANDREW DARLEY PENNINGTON,  
Defendant.**

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**CRIMINAL NO. A22 CR 087 LY**

**INDICTMENT**

**[Ct. 1: 18 U.S.C. §§ 922(a)(1)(A), 923,  
and 924(a)(1)(D) – Engaging in the  
Business of Dealing in Firearms  
Without a License]**

**THE GRAND JURY CHARGES:**

**COUNT ONE**

**Engaging in the Business of Dealing in Firearms without a License  
[18 U.S.C. §§ 922(a)(1)(A), 923, and 924(a)(1)(D)]**

Beginning on or about May 18, 2021, and continuing until on or about December 9, 2021, in the Western District of Texas, and elsewhere, Defendant,

**ANDREW DARLEY PENNINGTON,**

not being a licensed dealer, importer, or manufacturer of firearms within the meaning of Chapter 44, Title 18, United States Code, willfully engaged in the business of dealing in firearms.

In violation Title 18, United States Code, Sections 922(a)(1)(A), 923, and 924(a)(1)(D).

**NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE**  
**[See Fed.R.Crim.P. 32.2]**

**I.**

**Firearms Violation and Forfeiture Statutes**

**[Title 18 U.S.C. §§ 922(a)(1)(A) and 924(a)(1)(D), subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), as made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c)]**

As a result of the criminal violations set forth above, the United States gives notice to Defendant **ANDREW DARLEY PENNINGTON** of its intent to seek forfeiture of the properties listed below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 18 U.S.C. § 924(d)(1), as made applicable to criminal forfeiture by Title 28 U.S.C. § 2461(c). Section 924 provides, in pertinent part, the following:

**Title 18 U.S.C. § 924. Penalties**

**(d)(1)** Any firearm or ammunition involved in or used in any knowing violation of . . . section 922, . . . or knowing violation of 924 . . . shall be subject to seizure and forfeiture . . . under the provisions of this chapter. . .

This Notice for Demand for Forfeiture includes but is not limited to the properties described in Paragraph II.

**II.**

**Properties**


1. Taurus, model G2C, 9mm caliber pistol, SN: ACJ341488;
2. Taurus, model G2C, 9mm caliber pistol, SN: 1C080589;
3. Taurus, model G3C, 9mm caliber pistol, SN: ACG055388;
4. Taurus, model G2S, 9mm caliber pistol, SN: ACH113678;
5. Taurus, model G2S, 9mm caliber pistol, SN: ACH113686;
6. Taurus, model G2C, 9mm caliber pistol, SN: ACH141860;
7. Taurus, model The Judge, .45/410 caliber revolver, SN: ACA449952;
8. Taurus, model G2C, 9mm caliber pistol, SN: 1C080602;
9. Taurus, model G2C, 9mm caliber pistol, SN: 1C080419;
10. Taurus, model G2C, 9mm caliber pistol, SN: 1C080588;
11. Taurus, model G2C, 9mm caliber pistol, SN: 1C072670;
12. Norinco (North China Industries), model 84S-1, .223 caliber rifle, SN: 324386;
13. American Tactical Imports (ATI), model Omni Hybrid, multi-caliber rifle, SN: NS313709;
14. Adler Silah Sanayii Centurion, model BP-12, 12-gauge shotgun, SN: 21US-13985;
15. Beretta USA Corp., model 92X, 9mm caliber pistol, SN: 92X0041303;

16. Beretta USA Corp., model 92X, 9mm caliber pistol, SN: 92X0041274;
17. Beretta USA Corp., model 92X, 9mm caliber pistol, SN: 92X0040778;
18. Beretta Pietro SPA, model 92FS, 9mm caliber pistol, SN: A283609Z;
19. Beretta Pietro SPA, model 92FS, 9mm caliber pistol, SN: A276853Z;
20. Beretta Pietro SPA, model 92A1, 9mm caliber pistol, SN: A277490Z;
21. Beretta Pietro SPA, model 92FS, 9mm caliber pistol, SN: A283658Z;
22. Beretta Pietro SPA, model 92A1, 9mm caliber pistol, SN: A279020Z;
23. Taurus, model PT111 Millennium G2, 9mm caliber pistol, SN: TG056157;
24. Taurus, model PT111 Millennium G2, 9mm caliber pistol, SN: TJN12067;
25. FNH USA LLC, model 509, 9mm caliber pistol, SN: GKS0222292;
26. Berika Arms (Fedarm TK), model FRX, 12-gauge shotgun, SN: B21PX0028;
27. Berika Arms (Fedarm TK), model FRX, 12-gauge shotgun, SN: B21PX0036;
28. Berika Arms (Fedarm TK), model FRN, 20-gauge shotgun, SN: B21PA4009;
29. Radikal Arms, model P3, 12-gauge shotgun, SN: 21CM-1643;
30. CBC (Companhia Brasileira de Cartuchos), model Rossi Gallery, .22 caliber rifle, SN: 7CG028756P;
31. Taurus, model G2C, 9mm caliber pistol, SN: ACG004921;
32. Taurus, model PT111 Millennium G2, 9mm caliber pistol, SN: TJP01188; and
33. Any and all firearms, ammunition, and/or accessories used or intended to be used in the commission of the criminal offense.

A TRUE BILL

ORIGINAL SIGNATURE  
REDACTED PURSUANT TO  
FOREIGN E-GOVERNMENT ACT OF 2002

ASHLEY C. HOFF  
UNITED STATES ATTORNEY

  
ALAN M. BUIE  
ASSISTANT UNITED STATES ATTORNEY